

REMARKS

Upon entry of the present Amendment, no claims will be amended. Claims 2-5, 7, 8 and 11-25 will remain pending in the application. For the reasons set forth below, Applicant believes that the rejections should be withdrawn and that claims 2-5, 7, 8 and 11-25 are in condition for allowance in view of the following remarks.

Rejections under 35 U.S.C. § 103(a)

I. Claims 3, 5, 7-8, 11, 16-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zereski, Jr. et al. (U.S. Patent No. 5,654,886) in view of Root (U.S. Patent No. 6,505,123). Regarding claim 16, the Examiner asserted Zereski, Jr. et al. discloses a method for creating a video program substantially as recited in claim 16, but admitted that Zereski, Jr. et al. fail to specifically disclose receiving a recently recorded live video featuring a speaker. Regarding this deficiency, the Examiner asserted that Johnson et al. discloses receiving a recently recorded live video featuring a speaker (see col. 1, lines 25-36), and that it would have been obvious to modify Zereski, Jr. et al.'s invention with the above mentioned limitation as taught by Johnson et al.

The Examiner asserted that Root et al., in analogous art, discloses that in response to receiving the request, a script is created based on the request and the selected condition that defines the types of information to be included in the video program, and in accordance with the script. The Examiner cited to col. 2, lines 47-col. 3, line 6, lines 64-col. 4, line 16, col. 5, lines 10-17, lines 25-50, col. 6, lines 60-col. 7, line 16, line 36-col. 8, line 42. The Examiner concluded that Root teaches that "upon the demand of the user, the weather information database

is automatically updated in real-time and transmitted to the user's device." Office Action at p. 4.
Applicant respectfully traverses.

Applicant respectfully submits that none of Zereski, Jr. et al., Johnson et al. and Root teach or suggest at least the feature of a system that "creates a new video segment having new content based on selected data that corresponds to a selected condition," as recited in claim 16. Claim 16 recites that, "the request specifies a selected condition."

As apparently acknowledged by the Examiner, neither Zereski Jr. et al., nor Johnson et al., alone or properly combined, teach or suggest "a script" that is created based on a request to and the selected condition that defines the types of information to be included in the video program. With regard to Root, Applicant respectfully submits that the Examiner's characterization of Root ("upon the demand of the user, the weather information database is automatically updated in real-time and transmitted to the user's device.") still fails to teach or suggest "creating a script based on the request and the selected condition that defines the types of information to be included in the video program, and in accordance with the script," as recited in claim 16.

In particular, numerous passages in Root teach that the user defines a condition of interest and a spatial range, and the Root system provides weather information satisfying the user-defined conditions of interest. For example, col. 6, line 60 – col. 7, line 9 (cited by the Examiner) teaches that a user may input selected information such as, "the user's smart phone number (user identifier code), hail (weather content identifier), 2.5 mile radius (spatial range identifier 24) and spatial location dynamic (spatial location of the user's smart phone is then automatically and continuously monitored), and the like. The interactive weather advisory system 8 then monitors weather information and predictions of events in the weather analysis

unit 12 and transmits the individualized weather output signal to the user's smart phone if a hailstorm is detected or is highly likely to form within a 2.5 mile radius of the vehicle along the vehicle's path of travel, for the duration of travel."

Thus, the system merely responds by providing the weather conditions that satisfy the conditions specified by the user. Applicant respectfully submits that this is not "a script" as recited in the present invention for at least the reason that "the script" of the present invention is provided for, *inter alia*, the "sequencing of audio and video segments associated with the request." Root is completely silent with regard to any such sequencing. Further, Root is completely silent to performing any of the following recited steps in accordance with "a script:" "selecting a recently recorded live video segment and a recently recorded audio segment associated with the recently recorded live video segment that is relevant to the request, wherein the recently recorded live video segment and the recently recorded audio segment both feature a selected speaker; receiving data that is relevant to the condition specified by the request; using the data relevant to the condition specified to create a new video segment having new content; selecting one or more audio recordings that correspond to the selected speaker and to the received data; using the selected one or more audio recordings to create a new audio segment; and combining the recently recorded live video segment and the recently recorded audio segment with the new video segment and the new audio segment to create the video program.".

Thus, Applicant respectfully submits that no proper combination of Zereski Jr. et al., Johnson et al. and Root would teach or suggest the subject matter of claim 16. Accordingly, Applicant respectfully submits that claim 16 is allowable over the prior art of record.

Claims 3, 5 and 17-18 depend from claim 16, which Applicant believes to be allowable over the prior art of record. In addition, claims 3, 5 and 17-18 recite additional features in

combination with allowable claim 16, thus providing additional bases for the allowability thereof.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 16 and the claims that depend therefrom (claims 3, 5 and 17-18).

Claim 19, recites "creating the requested video program by creating a script based on the request and the condition that defines the types of information to be include, and based on the script:"selecting a recently recorded live video segment and a recently recorded audio segment associated with the recently recorded live video segment that is relevant to the request, wherein the recently recorded live video segment and the recently recorded audio segment both feature a selected speaker." This limitation is similar to claim 16. As such, substantially the same arguments noted above also apply to claim 19. As such, no proper combination of Zereski Jr. et al., Johnson et al. and Root teaches or suggests the subject matter of claim 19. Accordingly, Applicant respectfully submits that claim 19 is allowable over the prior art of record.

Claims 7, 8, 11 and 20-24 depend from claim 19, which Applicant believes to be allowable over the prior art of record. In addition, claims 7, 8, 11 and 20-24 recite additional features in combination with allowable claim 19, thus providing additional bases for the allowability thereof.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 19 and the claims that depend therefrom (claims 7, 8 and 20-24).

In view of the above differences, the Examiner is requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

II. Claims 12-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Zereski, Jr. et al. in view of Johnson et al., Inoue et al. (U.S. Publication No. 2002/0016963) and Root. Regarding claim 12, the Examiner asserted that Zereski, Jr. et al. teaches the claim substantially as recited, however the Examiner admitted that Zereski, Jr. et al. fails to teach “a plurality of decoders supporting a plurality of encoding schemes, wherein a first decoder receives a first video input and decodes the first video input; and a plurality of encoders for receiving the video program and encoding the video program.” The Examiner asserted that Inoue et al. teach this recited element, and that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Zereski, Jr. et al.'s invention with the teaching of Inoue et al.

The Examiner asserted that in an analogous art, Root et al. discloses a video server that executes a script created in response to receiving a request, the script defining the sequencing of audio and video segments associated with the request. Applicant respectfully traverses.

In particular, claim 12 recites “a video server that executes a script created in response to receiving a request, the script defining sequencing of audio and video segments associated with the request.” As noted above with regard to the rejection of claim 16, Zereski, Jr. et al. and Johnson et al. fail to teach or suggest this limitation as there is no teaching or suggestion of “a script ... defining sequencing of audio and video segments associated with the request”

Inoue et al. fails to remedy the deficiencies of Zereski, Jr. et al., as Inoue et al. also fail to teach the above limitations of claim 12. Root, discussed above, fails to teach a request that creates a script that defines types of information to be included in the video program. Root teaches a system that provides weather information to a user based on user-defined criteria. The reference is completely silent with regard to the recited steps performed in accordance with the script (e.g., “sequencing of audio and video segments associated with the request.”) Thus, any

proper combination of Zereski, Jr. et al., Johnson et al., Inoue et al. and Root fails to teach each and every element of claim 12.

With regard to claims 13-15, Applicant believes these claims are allowable over the prior art of records, as each depends from what is believed to be an allowable claim, and add other features and limitations in combination with their respect base claim(s).

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

III. Claims 2, 4 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zereski, Jr. et al. in view of Johnson et al., Root and Inoue et al. Applicant respectfully traverses.

With regard to claims 2, 4 and 25, Applicant refers to the arguments above regarding the failure of the references to teach the subject matter of the base claims from which claims 2, 4 and 25 depend. Applicant believes that claims 2, 4 and 25 are allowable over the prior art of record, as each depends from what is believed to be an allowable claim, and add other features and limitations in combination with their respect base claim(s).

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

CONCLUSION

Applicant believes that the application should now be in condition for allowance, and the Applicant solicits a notice to that effect. If there are any issues that can be resolved via a telephone conference, the Examiner is asked to contact the undersigned at (770) 475-9129.

Respectfully submitted,

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